

REMARKS

Request for Reconsideration

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the opinion that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the amendments to the Specification, these Remarks, and the attached Declaration of Mr. Mori.

Claim Status

Claims 1-11 are pending in this Application. Claims 1-11 have been examined and no amendments have been made herein.

Specification Amendments

Table 1 on page 53 has been amended to correct an obvious typographical error. Specifically, Substrate No. 5 had been identified as Invention in Table 1. This was in error. Substrate No. 5 was actually Comparative. The obviousness of this typographical error can be seen by the

fact that the value A2 for Substrate No. 5 is outside the claimed range and the fact that the samples that used Substrate No. 5 in the rest of the Application are labeled as Comparative, see specifically Table 2 on page 57, Table 3 on page 60 and Table 5 on page 69. Thus, it is submitted that the amendment made to Table 1 is correcting a typographical error.

Invention

The claimed Invention is directed to a printing plate material which comprises a substrate in a component layer thereon. The substrate, as recited in Claim 1, has a Ra value of 0.2 to 1.0 and an A2 value of 1 to 10.

In order to make the substrate, which is part of the printing plate material of the claimed Invention, various methods can be employed so as to arrive at a substrate having the necessary Ra and A2 values. As taught in the Specification in the paragraph bridging pages 19 and 20, Japanese Patent Publication No. 10-869 teaches a method that can be employed in order to make the substrate of the present Invention. Also, as taught in the Application in the paragraph bridging pages 22 and 23, there is no

restriction on the electrolytic surface roughening method that can be employed in order to arrive at the substrate of the present Invention.

Rejection

Claims 1-11 had been rejected as being unpatentable over a combination of Teng and APA JP 10-869. The Examiner has taken the position that APA '869 teaches a substrate having an A2 value of 1 to 10. Applicant respectfully traverses this rejection on the basis that APA '869 does not specifically teach a plate having an A2 value of 1 to 10 and because APA '869 does not inherently teach a substrate having the claimed value.

1. APA '869 teaches a method for making a substrate, not a substrate having an A2 value of 1 to 10.

APA '869 is equivalent to U.S. Patent No. 6,015,649. In fact, it should be noted that U.S. '649 lists Mr. Mori as the Inventor. Mr. Mori is also the Inventor in this Application.

A review of U.S. '649 shows that this Patent is directed to a method for manufacturing a support for printing plates. It can also be seen from U.S. '649 that there is no disclosure of the value A2. U.S. '649 teaches electrolytic surface roughening method and under appropriate conditions can be used to make a substrate having the claimed Ra and A2 value, however, U.S. '649 does not specifically direct one of skill in the art to make a substrate having the Ra and A2 value as recited in the claims in the instant Application.

In fact, it should be noted that A2 is determined by calculating the volume ratio of pits deeper than a specific depth using the roughening curve of Figure 1 and the bearing area curve of Figure 2, see page 13, line 4 to page 15, line 5 of the instant Application. U.S. '649 does not teach this measurement method. For that matter, Teng does not teach this method either. Thus, it is submitted that neither Teng nor U.S. '649 specifically teach the A2 value as recited in the claims.

In fact, it can be seen from Table 1 on page 53 of the Application, that a substrate can have an Ra value within the claimed range but an A2 value outside of the claimed range, see specifically Substrate Nos. 5 and 6 wherein the Ra value is within the claimed range but the A2 value is outside the claimed range. Thus, if a substrate has an Ra value that falls within the claimed range, it does not necessarily have an A2 value within the claimed range.

2. The Method of APA '869 does not Inherently Produce a Substrate Having an A2 value of 1 to 10.

Attached hereto is a Declaration of Mr. Mori. Mr. Mori has performed tests on four different samples which were made in accordance with APA '869 and in which he measured the A2 value of each of the samples. It can be seen from Table 6 of the Declaration that each one of those samples has an A2 value that falls outside the claimed range.

The Examiner will note that Example 1-1, 1-2, 2-1, and 2-2 of APA '869 were employed. These examples also appear in Tables 2 and 3 of U.S. '649. It should be noted that there is an obvious typographical error in Table 2 of U.S.

'649 in that the 2nd through 5th listing for Example "1-1" should really be consecutively numbered 1-2, 1-3, 1-4 and 1-5. In any event, Tables 2 and 3 also show examples 1-1, 1-2, 2-1 and 2-2.

As noted above, Mr. Mori has tested these materials which were made in accordance with U.S. '649 and shown that such substrates do not inherently possess the A2 value of the present claims.

Conclusion

Applicants have shown that APA '869 teaches a method for roughening a surface of a substrate but does not teach the specific substrate as claimed herein and does not inherently arrive at such a substrate. Respectfully, the claims as presented herein are patentable over Teng and APA '869 taken alone or in combination.

In view of the foregoing and the enclosed, it is submitted that the Application is in condition for allowance and such action is respectfully requested.

Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account #02-2275.

Respectfully submitted,

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Encl: Facsimile-executed Declaration of Mr. Mori
signed on October 25, 2004.
Return receipt post-card